United Nations

A/60/754

General Assembly

Distr.: General
19 April 2006

Original: English

Sixtieth session
Agenda item 112 (e)
Elections to fill vacancies in subsidiary organs and other elections: election of 47 members of the Human Rights Council

Note verbale dated 14 April 2006 from the Permanent Mission of Japan to the United Nations addressed to the President of the General Assembly

The Permanent Mission of Japan to the United Nations presents its compliments to the President of the sixtieth session of the General Assembly and, with reference to the note verbale dated 10 April 2006, has the honour to enclose herewith a document on Japan's voluntary pledges and commitments in accordance with General Assembly resolution 60/251 of 15 March 2006 (see annex).

06-31539 (E) 210406

Annex to the note verbale dated 14 April 2006 from the Permanent Mission of Japan to the United Nations addressed to the President of the General Assembly

Japan's voluntary pledges and commitments in accordance with General Assembly resolution 60/251

1. Japan's basic human rights policy

Japan adheres to the highest standards of human rights which are enshrined and guaranteed in its Constitution of 1947 that stipulates "fundamental human rights guaranteed to the people by this Constitution shall be conferred upon the people of this and future generations as eternal and inviolate rights." The Japanese Constitution further describes the desire of the Japanese people "to occupy an honoured place in an international society striving for the preservation of peace, and the banishment of tyranny and slavery, oppression and intolerance for all time from the earth". Since the establishment of the Constitution, Japan has maintained a democratic political system and has developed policies for the promotion and protection of human rights and fundamental freedoms in accordance with the Constitution. At the same time, Japan has been pursuing peace and prosperity in the international community.

Japan firmly believes that (a) human rights are universal, (b) all rights, including civil and political rights and economic, social and cultural rights are indivisible, interdependent and interrelated, and (c) it is necessary to protect and promote them equally.

Japan also upholds a firm belief that human rights are the legitimate concern of the international community. In addressing specific situations, Japan fully recognizes the importance of an appropriate understanding of the history, culture, religion and traditions of the country in question. Based on this conviction, Japan has sought approaches tailored to each circumstance through dialogue, cooperation and assistance.

2. International commitments

(1) Japan has ratified the following international instruments for the protection and promotion of human rights and has made the utmost efforts to implement its obligations faithfully:

- International Covenant on Economic, Social and Cultural Rights (1979)
- International Covenant on Civil and Political Rights (1979)
- International Convention on the Elimination of All Forms of Racial Discrimination (1995)
- Convention on the Elimination of All Forms of Discrimination against Women (1985)
- Convention on the Rights of the Child (1994) and its two Optional Protocols (2004 and 2005)
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1999)
- Geneva Conventions of 1949 (1953) and their Additional Protocols of 1977 (2004)
- Convention relating to the Status of Refugees (1981) and its Optional Protocol (1982)

(2) Japan has been a member of the Commission on Human Rights (CHR) since 1982 and has contributed to the work of CHR in a constructive and positive manner by emphasizing the importance of dialogue, tolerance and mutual respect.

(3) The Government of Japan has cooperated fully with the Office of the High Commissioner for Human Rights (OHCHR). In November 2004, Japan invited the High Commissioner for Human Rights to have discussions on various issues relating to human rights with concerned authorities and civil society.

(4) Japan has cooperated with the special procedures of the Commission on Human Rights and invited various Mandates Holders to conduct dialogues.

3. Domestic human rights policy

(1) The Government of Japan has consistently made efforts and implemented concrete measures to promote and protect all human rights and fundamental freedoms in Japan. Recent examples include:

(a)To protect the rights of the child, the Government has improved and introduced new laws such as the revised Law for Punishing Acts Related to Child Prostitution and Child Pornography and for Protection of Children (2004), the Law for Regulation of Acts Involving Children through the use of Internet Dating Services (2003), the revised Child Abuse Prevention Law (2004) and the revised Child Welfare Law (2004).

(b) In order to further promote gender equality, the Government has introduced the Basic Law for a Gender-equal Society (1999) and the Second Basic Plan for Gender Equality (2005) following the Beijing+10 review.

(c) In order to combat human trafficking through protection of victims and the strengthening to law enforcement, in 2004, the Government has set up an Inter-ministerial Liaison Committee (Task Force) and adopted a Comprehensive National Action Plan of measures to combat trafficking in persons. Japan has also promoted international cooperation as an indispensable endeavor in resolving this issue.

(d) Human Rights Organs of the Ministry of Justice in charge of the nation's human rights protection activities conduct investigations on human rights infringement cases and take appropriate relief measures such as accusation, warning, conciliation if human rights infringements are confirmed. To strengthen the national human rights system, the Ministry of Justice has established human rights counseling offices with the cooperation of 14,000 human rights volunteers throughout the country.

(e) The Law concerning Penal Institutions and the Treatment of Sentenced Inmates was promulgated in May 2005. This law stipulates treatment aimed at sentenced inmates' correction and rehabilitation while respecting their human rights, the inspection mechanism administered by the Penal Institutions Inspection Committee, the new complaint mechanism and others. The Government of Japan had initiated a study for this legislation before the Human Rights Committee made recommendations, but the legislation consequentially addressed the issues raised by the Committee.

(2) In Japan, the right of assembly and association is guaranteed by the Constitution and any nonprofit organization can operate without restriction. As an indicator, 25,682 Nonprofit Organizations are registered under the Registration Law for Nonprofit Organization, for the purpose of obtaining corporate rights and tax concession measures.
(3) Japan guarantees freedom of expression: about 8,300 TV stations and 730 radio stations operate freely and independently; more than 50,000 independent newspapers are published in the country.

4. International cooperation
(1) Japan firmly believes that capacity building should constitute the main element in assisting efforts to improve the human rights situation. In its bilateral cooperation, Japan has assisted efforts to promote and protect human rights through projects to foster democratic governance, empower women and provide education, in close consultation with and based on the request by the governments concerned. The Government of Japan has held regularized bilateral dialogues on human rights with the governments of approximately 10 countries for the purpose of fostering mutual understanding and implementing bilateral technical assistance to advance the protection and promotion of human rights.
(2) Japan has supported and cooperated with the Office of the High Commissioner for Human Rights (OHCHR) in building the capacities of national institutions and legal systems and also for developing human resources in the field of human rights. Japan has also contributed actively to the human rights related activities of other UN entities including UNIFEM and UNICEF.
(3) The Government of Japan has made efforts to promote the understanding and awareness of human rights related issues through organizing international conferences. The following are recent examples:

- The Second World Congress against Commercial Sexual Exploitation of Children (2001)
- Symposium on International Humanitarian Law (2005)
- International Symposium on Trafficking in Persons (2006)

5. Commitments and pledges
(1) Japan would like to participate and work actively in the Council:

- by continuing to promote genuine dialogues and cooperation based on mutual understanding and respect;
- by addressing situations of violations of human rights, including gross and systematic violations;
- by promoting the establishment of an effective and efficient universal periodic review mechanism;
- by actively engaging in the discussion of the reform of the special mechanisms with a view to maintaining the highest standards of impartiality, objectivity, independence and expertise in fulfillment of their mandates;
- by contributing to the establishment of working methods and practices that maximize the effectiveness of the Council and maintain the transparency of the Council's work.

(2) Japan will continue bilateral dialogues on human rights and will continue to extend its technical cooperation to assist the efforts to improve the situation of human rights worldwide.

(3) The Government of Japan will:

- promote approval of the draft "International Convention for the Protection of all Persons from Enforced or Involuntary Disappearances";
- continue to contribute actively to the early conclusion of the negotiations on an "International Convention on the Rights of Persons with Disabilities" ;
- continuously support the activities of OHCHR. Japan supports the doubling of the regular budget of OHCHR;
- support the promotion of a human rights based approach in development programmes of the UN agencies.

(4) Japan will cooperate fully with the treaty bodies and actively participate in the discussion on the reform of the treaty bodies for a more effective monitoring system.

(5) Japan will work closely with civil society including non-governmental organizations in the promotion and implementation of human rights programmes.

April 14, 2006